



Practitioner's Docket No. 17396/09074

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: M. Francis Botts, Frank C. Kohn and Maria L. Miller

Application No.: 09/326,014

Group No.: 1616

Filed: 06/04/1999

Examiner: Levy, Neil S.

For: PARTICLES CONTAINING AGRICULTURAL ACTIVE INGREDIENTS

**Commissioner for Patents**

**P.O. Box 1450**

**Alexandria, VA 22313-1450**

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that the attached correspondence comprising:

1. Amendment Transmittal (2 pages)
2. Response After Final Rejection (9 pages)
3. Return Postcard (1 page)

is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

Commissioner for Patents, P.O. Box 1450  
Alexandria, VA 22313-1450

on Jun. 25, 2004.

Debra Dunn-Brown

**Signature of person mailing paper**



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AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is other than a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

(When using Express Mail, the Express Mail label number is *mandatory*;  
Express Mail certification is *optional*.)

I hereby certify that, on the date shown below, this correspondence is being:

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37 C.F.R. § 1.8(a)

☒ with sufficient postage as first class mail.

37 C.F.R. § 1.10\*

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. \_\_\_\_\_ (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_ - \_\_\_\_\_

Date: 6/25/04

Debra Dunn-Brown  
Signature

Debra Dunn-Brown

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE	ADDIT. FEE	
TOTAL	29	– 45	= 0	x	\$ 18.00	= \$	0.00
INDEP.	3	– 4	= 0	x	\$ 86.00	= \$	0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+	\$ 0.00	= \$	0.00
					TOTAL ADDIT. FEE	\$	0.00

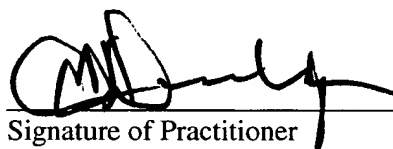
No additional fee for claims is required.

#### FEE DEFICIENCY

5. If an additional fee for claims is required, charge Account No. 50-2548.

Date: June 25, 2004

Reg. No.: 35,124  
Tel. No.: 864-250-2238

  
Signature of Practitioner

Charles E. Dunlap  
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Columbia, SC 29201

Af/ 1616  
IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. 09/326,014 Confirmation No. 3572  
Applicant M. Francis Botts *et al.*  
Filed June 4, 1999  
TC/A.U. : 1616  
Examiner : Neil S. Levy  
Docket No. : 17396/09074  
Deposit Acct. No. : 50-2548  
Title : Particles containing agricultural active ingredients

**RESPONSE AFTER FINAL REJECTION UNDER 37 C.F.R. §1.116.**

Dear Sir:

This is filed in response to the Office Action dated May 14, 2004, deemed to be a Final Action, and is believed to be timely in view of the 2-month period to invite an Advisory Action.

**Amendments to the claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 6.